

SMITH, PHILLIPS, MITCHELL,  
SCOTT & NOWAK, LLP  
Attorneys at Law  
P. O. Drawer 1586  
695 Shamrock Drive  
Batesville, Mississippi 38606  
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United Furniture-CA  
Trey Dayes, Attorney

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November 12, 2014  
Account No: 12895-12895M

Draft Statement

**LEGAL SERVICES**

		Hours
10/03/2013		
RTP	Telephone conference with Trey Dayes (Jeff Phillips Firm, Phoenix, AZ) regarding wage/hour case vs. United Furniture	1.00
10/04/2013		
JN	Reviewing draft Complaint and meeting w/Flip re: potential overtime case, emails, internet research	1.75
RTP	Emails from and to Attorneys; conference with Jason Nabors.	0.50
10/08/2013		
RTP	Email from and telephone call from and to Trey Dayes	0.50
10/09/2013		
JN	emails, preparing case for filing, research	1.25
10/11/2013		
JN	emails, preparing case for filing	0.75
10/14/2013		
JN	correspondence, preparing complaint, civil cover sheet, summonses and motion for admission for filing, emails, file review	2.75
10/15/2013		
JN	preparing case for filing, e-filing complaint, cover sheet and petition for admission, phone c/w Debi Houston at the clerk's office, research, pacer review	3.00
10/16/2013		
JN	drafting summonses, letter to clerk, forwarding for issuance, email	1.50
10/18/2013		
JN	phone c/w Debi at Clerk's Office, summonses, emails, pleadings, file review, correspondence	1.25

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		Hours
10/21/2013 JN	Order, file review, emails, research, summonses, service issues, phone c/w process server, letter, sending out summonses and complaints for service	2.50
10/22/2013 JN	pleadings, emails, file review, Notices and Opt-In Forms	0.50
10/25/2013 JN	pleadings, email, opt in forms, file review	0.50
10/28/2013 JN	pleadings, opt in forms, email	0.25
10/29/2013 JN	reviewed pleadings and opt in forms, email	0.25
10/31/2013 JN	summonses, correspondence, file review, emails, e-filing executed summonses	1.50
11/05/2013 JN	pleadings, email, notice, file review	0.50
11/07/2013 JN	opt-in forms, pleadings, email	0.25
11/08/2013 JN	phone c/w Brad Dillard, phone c/w Nasser, research, email	0.75
11/12/2013 JN	Notices of appearance, pleadings, emails, motion for extension, proposed order, correspondence with defense counsel, summons and service issues, internet research	1.50
11/14/2013 JN	conference call w/Trey Dayes and Nasser, pleadings, Notice, emails, internet research, Westlaw research	1.75
11/15/2013 JN	pleadings, file review	0.25
11/19/2013 JN	pleadings, Notice and Opt-In forms, email	0.25
11/20/2013 JN	pleadings, email	0.25
11/22/2013 JN	correspondence w/John Hill and email with Trey and Nasser, file review, Notice, pleadings	0.50
11/25/2013 JN	emails w/John Hill and Trey on procedural issues, file review, dismissal, notices and pleadings	0.75

		Hours
11/26/2013		
JN	pleadings, email	0.25
11/27/2013		
JN	Reviewing the draft Motion for Class Cert and Memorandum in Support, emails w/Nasser	0.75
12/02/2013		
JN	reviewing the Motion for Class Cert and Brief, Notices and Opt ins, pleadings, email	1.00
12/04/2013		
JN	pleadings, order, email, class certificate	0.50
12/05/2013		
JN	reviewing Defendants' Answer, Motion and Memo, corporate statement, pleadings, reviewing filed motion for class cert and memo in support, emails w/co-counsel	1.25
12/06/2013		
JN	Initial Order and deadlines, file review, emails, amended motion and brief, notices and opt-ins	1.50
12/10/2013		
JN	Notices and Opt-ins, emails and pleadings	0.25
12/16/2013		
JN	declaration, exhibits, pleadings, emails, notices and opt-ins	0.50
12/18/2013		
JN	Motion, email	0.25
12/23/2013		
JN	Notices, opt-ins, exhibits on class cert, pleadings, emails	0.50
12/27/2013		
JN	pleadings, email, Notice and Opt-In Forms, file review	0.50
01/06/2014		
JN	pleadings and email with Nasser re: case reassignment, fire review	0.50
01/07/2014		
JN	reviewing joine case management order, emails, research	0.50
01/10/2014		
JN	reviewing the Response to the Class Cert Motion, declarations, emails, pleadings, file review	0.75
01/13/2014		
JN	correspondence on the potential mediation, file review	0.30
01/17/2014		
JN	pleadings, emails, research	0.50
RTP	Conference with Howard Gunn	0.25

		Hours
01/20/2014 JN	c/w Flip bout Howard Gunn, Pacer research, reviewing Complaint and pleadings, phone c/w Trey Dayes, emails	1.75
01/21/2014 JN	preparing for mediation, internet research, emails, c/w Flip re: mediation	1.30
01/22/2014 JN	emails w/Trey re: mediation	0.25
01/23/2014 JN	mediation prep, emails	0.25
01/30/2014 JN	Orders, preparing for mediation, file review, pleadings	0.50
02/03/2014 JN	emails w/Trey about the mediation and class cert, file review, pleadings	0.50
02/04/2014 JN	emails	0.10
02/05/2014 JN	pleadings and mediation agreement and prep, emails	1.25
02/06/2014 JN	executed the mediation agreement, class parameter issues, Pacer research, emails, order staying discovery and the CMC from Judge Sanders	1.50
02/07/2014 JN	pleadings, notices and opt ins, email	0.30
02/10/2014 JN	pleadings, notices and opt ins, emails	0.30
02/11/2014 JN	Notices and emails	0.10
02/12/2014 JN	emails w/Beth, Judge Sanders' clerk about the mediation, emails w/counsel, file review	0.25
02/13/2014 JN	correspondence, mediation review	0.30
02/21/2014 JN	pleadings and notices	0.25
02/24/2014 JN	notices and pleadings, email	0.25

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		Hours
03/03/2014		
JN	research and emails, preparing for mediation	0.50
03/05/2014		
JN	Westlaw research on unpaid wage claims under Mississippi law, emails, preparing for mediation, conference call with Trey and attorneys	2.50
03/06/2014		
JN	emails w/Trey re: mediation and researching corporate assets and information	0.75
03/07/2014		
JN	mediation prep, research, reviewing employment data	2.00
03/10/2014		
JN	emails w/Nasser re: investigation and corporate assets	0.25
03/12/2014		
JN	phone c/w Trey Dayes and attorneys, working on documents and preparing for mediation, emails	1.50
03/13/2014		
JN	mediation prep	0.50
03/14/2014		
JN	document exchange and mediation issues, emails	0.75
03/17/2014		
JN	document exchange, emails	0.50
03/18/2014		
JN	emails w/Nasser re: claim rep and mediation	0.25
03/19/2014		
JN	reviewing document production and affidavits, phone c/w Shaneeka Norris	0.75
03/21/2014		
JN	mediation prep and document review, travel to Tupelo, meeting with class rep, Sheneeka Norris, preparing the class rep for mediation, conference call with Trey and attorneys, reviewing mediation memo	6.75
03/25/2014		
JN	mediation prep, file review	1.25
03/26/2014		
JN	reviewing supplemental position memo and spreadsheet info, emails, notice and opt ins, conference call, letters	2.00
03/27/2014		
JN	mediation prep, damages calculations, notices, opt ins, pleadings, emails	1.50

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		Hours
03/28/2014 JN	emails w/Nasser re: mediation, reviewing Joint Motion to Stay, emails, file review	1.30
03/31/2014 JN	emails w/Trey and Nasser re: proposed order, research on procedural issues	0.75
04/01/2014 JN	order and emails, file review, pleadings, Notices and Opt-in Forms	0.50
04/02/2014 JN	subpoena, pleadings, emails	0.75
04/07/2014 JN	notices and opt in forms, emails	0.50
04/08/2014 JN	pacer research re: other filed cases, pleadings and opt in forms, emails, file review	3.00
04/09/2014 JN	class member phone calls, file review	0.75
04/11/2014 JN	pleadings and opt in forms	0.50
04/14/2014 JN	class opt ins, emails w/Trey re: common fund issues, research	2.75
04/15/2014 JN	Westlaw research re: common fund doctrine and class settlement issues, conference call w/Trey Dayes re: class settlement issues, emails, file review	6.50
04/16/2014 JN	research on class cert and settlement issues	2.00
04/18/2014 JN	pleadings, opt ins, email	0.50
04/22/2014 JN	notice and opt in forms, emails	0.30
04/23/2014 JN	Westlaw research on common fund and class settlement issues	2.75
04/28/2014 JN	Notices and Opt in Forms, pleadings, emails, c/w RTP re: class issues	0.75
05/05/2014 JN	research on Department of Labor investigation	2.00

		Hours
05/07/2014 JN	emails and mediation prep	0.75
05/13/2014 JN	pleadings and emails	0.50
05/14/2014 JN	Notices and Opt in forms, mediation prep, emails	0.75
05/16/2014 JN	Opt ins and pleadings, phone call w/Jennifer at the Court Clerk's office, emails with Nasser, file review, amended pleadings	1.25
05/19/2014 JN	mediation prep, emails	0.50
05/20/2014 JN	pleadings, Notices and opt in forms, emails	0.75
05/21/2014 JN	pleading review, emails	0.25
05/27/2014 JN	pleadings and emails	0.30
05/28/2014 JN	Notices and Opt-in forms, emails, mediation prep	1.00
06/02/2014 JN	pleadings and opt ins, emails w/Nasser re: mediation	0.75
06/03/2014 JN	phone c/w class rep, Sheneeka Norris, opt in forms and filings, emails, file review	1.00
06/05/2014 JN	phone c/w class rep, emails w/Nasser, opt ins and pleadings	0.75
06/06/2014 JN	Westlaw research on the common fund and class settlement/attorneys fees issues, phone c/w class rep, emails w/Nasser, preparing for mediation, pleadings and emails	4.25
06/09/2014 JN	preparing for mediation, phone c/w Sheneeka Norris	1.00
06/10/2014 JN	Westlaw and Pacer research, phone calls, preparing for mediation, emails, file review	5.00
06/11/2014 JN	Travel to Tupelo, mediation	11.00

		Hours
06/12/2014		
JN	c/w Flip re: mediation, file review	0.50
RTP	Mediation- conference with Jason - no settlement	1.50
06/13/2014		
JN	opt ins and faxes, emails w/Nasser	0.50
06/16/2014		
JN	opt ins and pleadings, emails, file review, Westlaw and legal research on motion issues, emails w/Nasser and Trey re: class cert motion	3.25
06/17/2014		
JN	emails w/Nasser re: filings, pleadings and opt ins, emails, emails w/Trey re: venue issues	0.75
06/19/2014		
JN	class cert motion, emails w/Nasser re: procedural issues, notices and pleadings, emails, file review, legal research	1.75
06/23/2014		
JN	pleadings, emails	0.25
06/24/2014		
JN	emails w/Nasser re: Notice of Withdrawal, amendments and scheduling, phone c/w Eddie Pickens, file review	2.75
06/25/2014		
JN	correspondence with Judge Brown, emails w/Trey and Nasser re: procedural issues and scheduling, research on procedural issues, reviewing draft case management order, Notice of Withdrawal, Case Management Report, discover issue review	4.50
06/26/2014		
JN	discovery review, order lifting stay, emails, reviewing requests for production of documents, reviewing notices, phone c/w Trey and Nasser re: case strategy, internet research, phone calls w/Don Hall re: case acquisition issues	6.25
06/27/2014		
JN	conference call w/Trey and Don Hall, research, file review, case strategy review, conference call with Trey and Nasser re: case strategy, Notice and pleading review, emails	4.30
06/30/2014		
JN	initial order and deadlines, emails, research on procedural issues, reviewing class cert issues and pleadings, file review	4.00
07/01/2014		
JN	research re: class cert issues, pleading review	2.75



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		Hours
07/03/2014 JN	letter from defense counsel, emails, reviewing pleadings, notices and opt-ins, phone c/w Don Hall, emails w/ Nasser re: case acquisitions	1.75
07/07/2014 JN	phone c/w Jeneice Fields, letter, sending opt in form, file review, reviewing questionnaire, intake packet and correspondence with Don Hall, emails w/Trey re: client acquisition	2.50
07/08/2014 JN	emails w/counsel re: discovery conference, correspondence with Don Hall re: interviews	0.50
07/10/2014 JN	reviewing proposed CMO, emails	0.50
07/11/2014 JN	reviewing CMO, correspondence w/ Judge, emails, opt-in form for Jeneice Fields, forwarding form to Nasser, pleadings	0.75
07/14/2014 JN	internet and legal research, emails re: opt ins and client acquisitions, emails w/Trey re: legal and procedural issues	2.00
07/16/2014 JN	opt in forms, notices, pleadings, research, emails, c/w Nikki re: client list and procedural issues	2.25
07/17/2014 JN	phone c/w Gary Cunningham, file review, emails w/Nasser	1.00
07/18/2014 JN	pleadings and opt-ins, emails, file review	1.00
07/21/2014 JN	legal research re: Mississippi law and procedural issues, emails w/ Trey	2.50
07/22/2014 JN	notices and opt-ins, emails w/Trey re: advertising issues	0.75
07/23/2014 JN	emails w/Trey re: ad, working on class issues, opt ins and faxes, emails	1.25
07/31/2014 JN	pleadings, opt ins and notices, phone c/w Blondie Montgomery, letter, file review, c/w Nikki re: clients	1.50
08/05/2014 JN	notices and opt ins, pleadings, emails	0.25

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		Hours
08/07/2014		
JN	phone c/w L.B. Rupert	0.25
08/08/2014		
PL	mailed opt in forms	0.10
JN	opt ins, letters, file review, pleadings, emails	0.50
08/12/2014		
JN	Notices and opt ins, emails	0.50
08/14/2014		
JN	reviewing confidential settlement memo, emails	1.00
08/18/2014		
JN	correspondence with Chris Montgomery, emails w/Nasser about new opt ins, emails on discovery issues, pleadings	1.50
08/19/2014		
JN	pleadings and opt ins, emails, proposed order	0.50
08/21/2014		
JN	order, pleadings, emails	0.50
08/22/2014		
JN	phone c/w Angela Johnson re: opt in	0.25
08/25/2014		
JN	notices and op-ins	0.25
08/26/2014		
JN	phone c/w Charles Johnson, Notices and emails, emails w/Trey re: case management conference, emails w/Nasser	1.50
08/27/2014		
JN	reviewing plaintiff's initial disclosures, phone c/w Angela Johnson, reviewing Defendant's initial disclosures, notices, emails, file review, memos, emails w/Nasser re: disclosures and local rules, researching local rules, reviewing motion to consolidate and proposed order, emails w/Trey re: consolidation	4.50
08/28/2014		
JN	phone c/w Crystal Johnson, sending out opt-in forms, emails, letters, file review, emails w/Nasser about CMC, phone c/w Charles Johnson, Notices	1.75
PL	Indexed pleadings; mailed opt in packets (NM)	1.00
08/29/2014		
JN	phone c/w Trey re: preparation for conference with Judge, discovery and case strategy, emails, file review, phone calls w/opt-ins, preparing for CMC, reviewing discovery, Notice of Service of Discovery	3.25

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		Hours
09/02/2014		
JN	case management conference in Aberdeen, meeting with Trey Dayes, travel to factories and courthouse, emails, opt-ins, file review, pleadings	8.00
09/03/2014		
JN	reviewing Defendants' discovery requests, class cert motion, trial date setting, emails with Nasser about 30(b)(6) issues, emails w/ Trey and Nasser about local rules, research, file review, pacer research, phone c/w Angela Johnson, c/w Flip re: case status and hearing, reviewing case management order and 30(b)(6) Notice	6.50
09/04/2014		
JN	emails w/Trey about the settlement conference and trial setting, class certification, opt-ins, phone c/w Angela Johnson, file review, reviewing orders and pleadings, emails w/ Nasser re: Howard Gunn's case, reviewing pleadings from Howard Gunn's case, research, pacer review	4.25
09/05/2014		
JN	class cert briefs and declarations, emails, westlaw research on intervention and class cert objections, emails w/Nasser about intervention issues, internet research, conference call with Trey and Nasser, phone c/w Jennifer at the clerk's office, emails with Nasser about opt-in names, reviewing notices and optins	4.75
09/08/2014		
JN	notices and emails with Nasser about opt-ins, pleadings	0.50
09/10/2014		
JN	Notices, opt-ins, emails	0.25
09/11/2014		
JN	c/w Flip re: case status and settlement issues, pleadings and emails	1.25
09/12/2014		
JN	reviewing motion for leave, proposed order, opposition, memorandum in support, notices, emails w/Nasser re: pleadings and procedural issues, motion for extension and objections	2.50
09/15/2014		
JN	emails, pleadings	0.25
09/16/2014		
JN	reviewing defendants' responses to interrogatories and requests, emails, file review, notices	1.50
09/17/2014		
JN	reviewing document production CD, emails with Nasser about settlement conference, pleadings	2.00

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		Hours
09/29/2014 JN	reviewing discovery responses, notices and pleadings, emails, phone calls with clients	2.25
09/30/2014 JN	emails with Nasser on the discovery disputes, research on motion to compel, notices and opt-ins, emails	1.25
10/01/2014 JN	good faith letter, good faith certificate, motion to compel, email, file review, research, reviewing Response in Opposition to the Class Cert Motion, reviewing Motion to Dismiss or Sever, emails w/ Nasser about responses, reviewing Response to Motion for Appearance	3.25
10/02/2014 JN	emails with Trey about Responses, reviewing Briefs, researching rules, emails with Nasser about filings, file review	3.75
10/08/2014 JN	Reply Briefs, research, phone c/w Nasser about the replies and notices, class cert issues, emails, phone c/w Trey about the settlement conference and strategy issues	3.00
10/10/2014 JN	preparing for settlement conference, correspondence with Judge, file review, emails	0.75
10/13/2014 JN	good faith letter, mediation prep, emails with Nasser about procedural issues, research on procedural issues	2.75
10/14/2014 JN	emails re: 30(b)(6) depo	0.25
10/16/2014 JN	reviewing Response to Joinder Motion, emails, file review, pleadings, procedures, notices and pleadings, correspondence with John Hill and Trey about scheduling depositions, Amended Notice of depotion, Settlement Conference Notice	3.00
10/20/2014 JN	reviewing Replies, settlement conference preparation	1.50
10/21/2014 JN	Notices and opt-ins, emails	0.25
10/22/2014 JN	emails with Nasser re: confidential settlement memo and class rep, reviewing Reply on the Joinder Motion, new opt in forms, sending forms to Trey's office, emails with Trey about settlement conference prep, phone c/w Angela Johnson	3.25

		Hours	
10/27/2014	JN	discovery review, letters, good faith certificate	0.75
10/29/2014	JN	reviewing motion to compel and good faith certificate, correspondence with defense counsel, notices and opt ins	2.50
10/31/2014	JN	reviewing confidential settlement memo, motion to compel and brief	1.75
11/03/2014	JN	Emails with Nasser, preparing for the settlement conference	0.75
11/04/2014	JN	Working on the Motion for Partial Summary Judgment, emails with Nasser on filing issues, emails with Trey on class issues, attorney fee review.	2.25
11/05/2014	JN	Westlaw research on 5th Circuit factors for attorney fee approval, drafting and sending memo to Trey, emails, file review, preparing for settlement conference	3.25
11/06/2014	JN	Settlement Conference in Aberdeen before Judge Sanders	8.00
11/07/2014	JN	Phone conference with Nasser about the settlement, pleadings, emails, client calls	0.75
11/12/2014	JN	Emails with Nasser regarding settlement, preparing fee information for filing, reviewing settlement documents, court filings and agreement.	1.50
Total Legal Fees:			270.25
			106,652.75

Recapitulation			
Timekeeper	Hours	Rate	Total
Richard T. Phillips	3.75	\$475.00	\$1,781.25
Jason Nabors	265.40	395.00	104,833.00
Paralegal	1.10	35.00	38.50

Expenses Pd by SPMS&N to Date

11/30/2013	Advance - Westlaw (November)	8.15
03/21/2014	Advance - Jason Nabors (Travel to and from Tupelo)	46.80
03/31/2014	Advance - Westlaw (March)	43.02
04/30/2014	Advance - Westlaw Research (April)	207.81
06/30/2014	Advance - Westlaw (June)	136.40
07/11/2014	Photocopies	30.00
08/08/2014	Postage	3.01
08/08/2014	Photocopies	2.50

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08/28/2014	Postage	6.44
09/02/2014	Advance - Travel to Aberdeen Courthouse and factories	71.40
10/28/2014	Advance - Westlaw	22.00
11/06/2014	Advance - Jason Nabors (Travel)	46.20
	Total Expenses	<u>623.73</u>
	Total Current Work	107,276.48
	Balance Due	<u>\$107,276.48</u>
	Please Remit	<u>\$107,276.48</u>

THANK YOU,  
SMITH PHILLIPS MITCHELL  
SCOTT & NOWAK, LLP